

**Exhibit 8**

**The 2020 Correspondence**

**Breen, Matthew**

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**From:** Perez, Diana (External)  
**Sent:** Friday, February 28, 2020 12:48 PM  
**To:** Bacon, Nicole; Beckerman, Lisa; Ghiladi, Kathy  
**Cc:** Friedman, Peter (External);  
'{F451299}.Feldesman\_Docs@WorkSiteEmm.feldesmantucker.com'  
**Subject:** RE: PR - 2019 WAP

**\*\*EXTERNAL Email\*\***

Thanks, Nicole. I will review and get back to you with any questions. We are still waiting for the calculation spreadsheets from the government but I will forward them along when I do receive them, which I suspect will probably be early next week.

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**From:** Bacon, Nicole <nbacon@feldesmantucker.com>  
**Sent:** Friday, February 28, 2020 12:03 PM  
**To:** Perez, Diana M. <dperez@omm.com>; Beckerman, Lisa <lbeckerman@AkinGump.com>; Ghiladi, Kathy <KGhiladi@feldesmantucker.com>  
**Cc:** Friedman, Peter <pfriedman@omm.com>; '{F451299}.Feldesman\_Docs@WorkSiteEmm.feldesmantucker.com' <{F451299}.Feldesman\_Docs@WorkSiteEmm.feldesmantucker.com>  
**Subject:** RE: PR - 2019 WAP

**[EXTERNAL MESSAGE]**

Hello Diana,

Kathy and I tried to give you a call yesterday to respond to your question. It would be helpful if you could send us the spreadsheets that were used to calculate payments from 2015 forward as we discussed in our call earlier this week.

In the meantime, I hope that we can clear up any confusion with this email and the attached color-coded breakdown and description of the agreed interim payment formula. To answer your question, the calculations of the amounts in our spreadsheet showing the amounts due for 2019 are simply the amounts in Column P (highlighted in green) of the attached spreadsheet minus the payments that were made for 2019 (Columns T,X, Z, and AB).

Column P meets the stipulated agreement amount:

"The Commonwealth will continue to issue estimated prospective quarterly wraparound payments pursuant to the Order dated June 5, 2015...using the previously agreed upon estimated payment formula, *adjusted with the newly set rates...*"

In the attached Word document, you will see that just about every variable in the interim payment formula has remained constant since 2010. I have highlighted those items in orange in both the Word document and the Excel spreadsheet. After Column P, the Commonwealth's spreadsheet deviates from the agreement by averaging payments from the fourth quarter of 2018 with the properly calculated payment amounts. Because the only variable that changed from the 2018 calculation to the amounts calculated in Column P is the PPS rate, the effect of

averaging the total payments is only to average the rate. As I have noted in the description, the only variable that should remain constant throughout the year is the rate. The second tab of the annotated spreadsheet "Simple Example," illustrates this point. By averaging the total payments, the Commonwealth will never pay the health centers the properly calculated payment amount according to the stipulation.

Please let me know if you would like to schedule a call to discuss this further.

Nicole

**Nicole M. Bacon**

Partner

Feldesman Tucker Leifer Fidell LLP

1129 20th Street, NW, Suite 400

Washington, DC 20036

T. 202.466.8960

F. 202.293.8103

**[www.ftlf.com](http://www.ftlf.com)**

**FELDESMAN + TUCKER + LEIFER + FIDELL** LLP

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**From:** Perez, Diana M. <[dperez@omm.com](mailto:dperez@omm.com)>

**Sent:** Thursday, February 27, 2020 11:40 AM

**To:** Beckerman, Lisa <[lbeckerman@AkinGump.com](mailto:lbeckerman@AkinGump.com)>; Ghiladi, Kathy <[KGhiladi@feldesmantucker.com](mailto:KGhiladi@feldesmantucker.com)>; Bacon, Nicole <[nbacon@feldesmantucker.com](mailto:nbacon@feldesmantucker.com)>

**Cc:** Friedman, Peter <[pfriedman@omm.com](mailto:pfriedman@omm.com)>

**Subject:** PR - 2019 WAP

Lisa, Kathy, and Nicole,

I just wanted to follow up to let you know that I'm still in discussions with the DOJ and the other Commonwealth employees who handle these matters regarding the prior year calculations and the 2019 calculations but I believe we are making progress. It would be helpful for myself if you could explain the calculation that you used to come up with the amounts on your spreadsheet that you believe are the correct payments.

Thank you,

Diana

**O'Melveny**

**Diana M. Perez**

[dperez@omm.com](mailto:dperez@omm.com)

O: +1-212-326-2163

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O'Melveny & Myers LLP

Times Square Tower

7 Times Square

New York, NY 10036

[Website](#) | [LinkedIn](#) | [Bio](#)